

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

MAGTEN ASSET MANAGEMENT
CORPORATION,

Plaintiff,

v.

MIKE J. HANSON and ERNIE J. KINDT

Defendants.

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Civil Action No. 05-499-JJF

ORDER

Upon Defendants' Michael J. Hanson ("Hanson") and Ernie J. Kindt ("Kindt"), Motion to Strike Proposed First Amended Complaint and with good cause therefore;

IT IS HEREBY ORDERED that Defendants' Motion to Strike Proposed First Amended Complaint is hereby GRANTED.

IT IS FURTHER ORDERED that Exhibits 1 and 2 to *Reply in Further Support of Motion of Magten Asset Management Corporation and Law Debenture Trust Company of New York for Leave to Amend the Complaint and/or For Extension of Time to Seek Leave to Amend* [D.I. 153] are hereby stricken and shall not be considered by this Court.

DATED this ____ day of _____, 2007.

Honorable Joseph J. Farnan, Jr.